



IFW

DOCKET NO. END-780NP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Baxter III, Chester O., et al.
Serial No. : 10/659,418 Art Unit: 3762
Filed : September 10, 2003 Examiner: Not assigned
Title : FINGERTIP ELECTROSURGICAL MEDICAL DEVICE

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

August 19 2004

(Date of Deposit)

Linda F. Hansen

(Name of applicant, person mailing, assignee, or Registered Representative)

Linda F. Hansen

(Signature)

August 19 2004

(Date of Signature)

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUBMISSION OF COMBINED DECLARATION AND POWER OF ATTORNEY

Dear Sir:

Pursuant to Rule 53(f) and Rule 54, please find enclosed a Combined Declaration and Power of Attorney for the application of Chester O. Baxter III, et al., entitled FINGERTIP ELECTROSURGICAL MEDICAL DEVICE attorney Docket No. END-780NP, to complete, pursuant to Rule 51, this application filed on September 10, 2003 by Express Mail pursuant to Rule 10. As required, a copy of the Notice to File Missing Parts of Application is also attached.

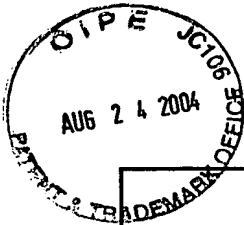
Please charge Johnson & Johnson Deposit Account No. 10-0750/END-780NP/VEK in the amounts of \$130.00 for submission of the Declaration pursuant to Section 1.16(e). The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 10-0750/END-780NP/VEK. This sheet is submitted in triplicate.

Respectfully submitted,

Verne E. Kreger, Jr.

Verne E. Kreger, Jr.
Reg. No. 35,231
Attorney for Applicant(s)

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(513) 337-3295



Please type a plus sign (+) inside this box ☐

PTO/SB/01 (10-00)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**DECLARATION
AND
POWER OF ATTORNEY
FOR UTILITY OR DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

☐ Declaration Submitted with Initial Filing **OR** ☒ Declaration Submitted after Initial Filing (Surcharge (37 CFR 1.16(e)) required)

Attorney Docket Number	END-780 NP
First Named Inventor	Chester O. Baxter, III et al.
COMPLETE IF KNOWN	
Application Number	10/659,418
Filing Date	September 10, 2003
Group Art Unit	Not assigned
Examiner Name	Not assigned

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

FINGER TIP ELECTROSURGICAL MEDICAL DEVICE
(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) 09/10/2003 as United States Application Number or PCT International Application Number

10/659,418 and was amended on (MM/DD/YYYY) ☐

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

DECLARATION - Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.
60/412,072 60/425,401	September 19, 2002 November 12, 2002	

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status
		Pending

I hereby appoint:

☒ Practitioners at Customer Number **000027777** →

Place Customer
Number Bar Code
Label Here

AND

☐ Practitioner(s) named below:
Name Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Address all telephone calls to Verne E. Kreger, Jr. at telephone number (513) 337-3295.

Direct all correspondence to: Customer Number ☒ or Bar Code Label **000027777** OR ☐ Correspondence address below

Name:

Address:

Address:

City:

State:

ZIP

Country USA

Telephone: (513) 337-3295

Fax:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

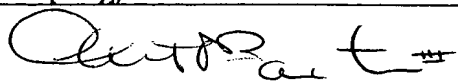
NAME OF SOLE OR FIRST INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name Chester O.
(first and middle [if any])

Family Name Baxter, III
or Surname

Inventor's
Signature



Date 10/08/03

Residence: City Loveland

State Ohio

Country USA

Citizenship USA

Mailing Address 6375 Pawnee Ridge

City Loveland

State Ohio

ZIP 45140

Country USA

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

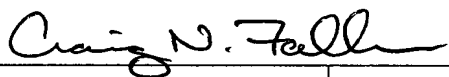
NAME OF SECOND INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name Craig N.
(first and middle [if any])

Family Name Faller
or Surname

Inventor's
Signature



Date 10/8/03

Residence: City Milford

State Ohio

Country USA

Citizenship USA

Mailing Address 5960 E. Day Circle

City Milford

State Ohio

ZIP 45159-2360

Country USA

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

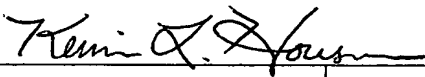
NAME OF THIRD INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name Kevin L.
(first and middle [if any])

Family Name Houser
or Surname

Inventor's
Signature



Date 10/8/03

Residence: City Springboro

State Ohio

Country USA

Citizenship USA

Mailing Address 570 Foliage Lane

City Springboro

State Ohio

ZIP 45066

Country USA

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF FOURTH INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name Jorge
(first and middle [if any])

Family Name Gutierrez
or Surname

Inventor's
Signature

Jorge Gutierrez

Date

10.8.03

Residence: City Cincinnati,

State Ohio

Country USA

Citizenship USA

Mailing Address 9916 McCauley Woods Drive

City Cincinnati

State Ohio

ZIP 45241

Country USA

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF FIFTH INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name William T.
(first and middle [if any])

Family Name Donofrio
or Surname

Inventor's
Signature

William T Donofrio

Date

10-10-03

Residence: City Cincinnati,

State Ohio

Country USA

Citizenship USA

Mailing Address 8755 Tanagerwoods Drive

City Cincinnati

State Ohio

ZIP 45249

Country USA

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SIXTH INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name Jerome R.
(first and middle [if any])

Family Name Morgan
or Surname

Inventor's
Signature

JR

Date

10/8/03

Residence: City Cincinnati,

State Ohio

Country USA

Citizenship USA

Mailing Address 3275 S. Whitetree Circle

City Cincinnati

State Ohio

ZIP 45236

Country USA

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SEVENTH INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name Jeffrey J.
(first and middle [if any])

Family Name Vaitekunas
or Surname

Inventor's
Signature

Date

Residence: City St. Paul

State MN

Country USA

Citizenship USA

Mailing Address 1270 Northland Drive

City St. Paul

State MN

ZIP 55120

Country USA

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF EIGHTH INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name Gregory W.
(first and middle [if any])

Family Name Johnson
or Surname

Inventor's
Signature

Date

Residence: City Milford,

State Ohio

Country USA

Citizenship USA

Mailing Address 117 Mound Avenue

City Milford

State Ohio

ZIP 45150

Country USA

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF NINTH INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name Vance
(first and middle [if any])

Family Name VanDrake, III
or Surname

Inventor's
Signature

Date

Residence: City Cincinnati,

State Ohio

Country USA

Citizenship USA

Mailing Address 3414 Whitfield

City Cincinnati

State Ohio

ZIP 45220

Country USA



Please type a plus sign (+) inside this box ☐

PTO/SB/01 (10-00)
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DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63) <input type="checkbox"/> Declaration Submitted with Initial Filing <input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (Surcharge (37 CFR 1.16(e)) required)	Attorney Docket Number	END-780 NP			
	First Named Inventor	Chester O. Baxter, III et al.			
	COMPLETE IF KNOWN				
	Application Number	10/659,418			
	Filing Date	September 10, 2003			
	Group Art Unit	Not assigned			
	Examiner Name	Not assigned			
As a below named inventor, I hereby declare that: My residence, mailing address, and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: FINGER TIP ELECTROSURGICAL MEDICAL DEVICE <i>(Title of the Invention)</i> the specification of which <input type="checkbox"/> is attached hereto OR <input checked="" type="checkbox"/> was filed on (MM/DD/YYYY) 09/10/2003 as United States Application Number or PCT International Application Number 10/659,418 and was amended on (MM/DD/YYYY) <input type="checkbox"/> I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application. I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.					
Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES NO	
			<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/> Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:					

DECLARATION - Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.
60/412,072 60/425,401	September 19, 2002 November 12, 2002	

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Application Serial No.	Filing Date	Status
		Pending

I hereby appoint:

☒ Practitioners at Customer Number **000027777** →

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Number Bar Code
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AND

☐ Practitioner(s) named below:
Name Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Address all telephone calls to Verne E. Kreger, Jr. at telephone number (513) 337-3295.

Direct all correspondence to: Customer Number ☒ or Bar Code Label **000027777** OR ☐ Correspondence address below

Name:

Address:

Address:

City:	State:	ZIP
Country USA	Telephone: (513) 337-3295	Fax:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name Chester O.
(first and middle [if any])

Family Name Baxter, III
or Surname

Inventor's
Signature



Date

10/08/03

Residence: City Loveland

State Ohio

Country USA

Citizenship USA

Mailing Address 6375 Pawnee Ridge

City Loveland

State Ohio

ZIP 45140

Country USA

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

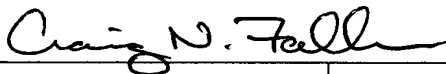
NAME OF SECOND INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name Craig N.
(first and middle [if any])

Family Name Faller
or Surname

Inventor's
Signature



Date

10/8/03

Residence: City Milford

State Ohio

Country USA

Citizenship USA

Mailing Address 5960 E. Day Circle

City Milford

State Ohio

ZIP 45159-2360

Country USA

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

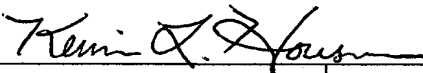
NAME OF THIRD INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name Kevin L.
(first and middle [if any])

Family Name Houser
or Surname

Inventor's
Signature



Date

10/8/03

Residence: City Springboro

State Ohio

Country USA

Citizenship USA

Mailing Address 570 Foliage Lane

City Springboro

State Ohio

ZIP 45066

Country USA

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF FOURTH INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name Jorge
(first and middle [if any])

Family Name Gutierrez
or Surname

Inventor's
Signature

Jorge Gutierrez

Date 10.8.03

Residence: City Cincinnati,

State Ohio

Country USA

Citizenship USA

Mailing Address 9916 McCauley Woods Drive

City Cincinnati

State Ohio

ZIP 45241

Country USA

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF FIFTH INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name William T.
(first and middle [if any])

Family Name Donofrio
or Surname

Inventor's
Signature

William T Donofrio

Date 10-10-03

Residence: City Cincinnati,

State Ohio

Country USA

Citizenship USA

Mailing Address 8755 Tanagerwoods Drive

City Cincinnati

State Ohio

ZIP 45249

Country USA

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NAME OF SIXTH INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name Jerome R.
(first and middle [if any])

Family Name Morgan
or Surname

Inventor's
Signature

JR

Date 10/8/03

Residence: City Cincinnati,

State Ohio

Country USA

Citizenship USA

Mailing Address 3275 S. Whitetree Circle

City Cincinnati

State Ohio

ZIP 45236

Country USA

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SEVENTH INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name Jeffrey J.
(first and middle [if any])

Family Name Vaitekunas
or Surname

Inventor's
Signature



Date 10-20-03

Residence: City St. Paul

State MN

Country USA

Citizenship USA

Mailing Address 1270 Northland Drive

City St. Paul

State MN

ZIP 55120

Country USA

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF EIGHTH INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name Gregory W.
(first and middle [if any])

Family Name Johnson
or Surname

Inventor's
Signature

Date

Residence: City Milford,

State Ohio

Country USA

Citizenship USA

Mailing Address 117 Mound Avenue

City Milford

State Ohio

ZIP 45150

Country USA

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF NINTH INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name Vance
(first and middle [if any])

Family Name VanDrake, III
or Surname

Inventor's
Signature

Date

Residence: City Cincinnati,

State Ohio

Country USA

Citizenship USA

Mailing Address 3414 Whitfield

City Cincinnati

State Ohio

ZIP 45220

Country USA



Please type a plus sign (+) inside this box ☐

PTO/SB/01 (10-00)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63) <input type="checkbox"/> Declaration Submitted with Initial Filing OR <input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (Surcharge (37 CFR 1.16(e)) required)	Attorney Docket Number	END-780 NP		
	First Named Inventor	Chester O. Baxter, III et al.		
	<i>COMPLETE IF KNOWN</i>			
	Application Number	10/659,418		
	Filing Date	September 10, 2003		
	Group Art Unit	Not assigned		
	Examiner Name	Not assigned		
As a below named inventor, I hereby declare that: My residence, mailing address, and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: <div style="text-align: center;">FINGER TIP ELECTROSURGICAL MEDICAL DEVICE <i>(Title of the Invention)</i></div> the specification of which <input type="checkbox"/> is attached hereto OR <input checked="" type="checkbox"/> was filed on (MM/DD/YYYY) <u>09/10/2003</u> as United States Application Number or PCT International Application Number <u>10/659,418</u> and was amended on (MM/DD/YYYY) <input type="text"/> I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application. I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.				
Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES NO
			<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/> Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:				

DECLARATION - Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.
60/412,072 60/425,401	September 19, 2002 November 12, 2002	

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status
		Pending

I hereby appoint:

☒ Practitioners at Customer Number **000027777** →

Place Customer
Number Bar Code
Label Here

AND

☐ Practitioner(s) named below:
Name Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Address all telephone calls to Verne E. Kreger, Jr. at telephone number (513) 337-3295.

Direct all correspondence to: ☒ Customer Number **000027777** OR ☐ Correspondence address below

Name:

Address:

Address:

City:

State:

ZIP

Country USA

Telephone: (513) 337-3295

Fax:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

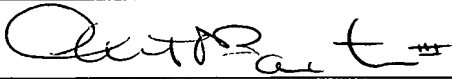
NAME OF SOLE OR FIRST INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name Chester O.
(first and middle [if any])

Family Name Baxter, III
or Surname

Inventor's
Signature



Date 10/08/03

Residence: City Loveland

State Ohio

Country USA

Citizenship USA

Mailing Address 6375 Pawnee Ridge

City Loveland

State Ohio

ZIP 45140

Country USA

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

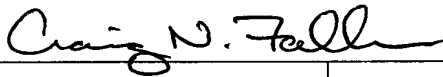
NAME OF SECOND INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name Craig N.
(first and middle [if any])

Family Name Faller
or Surname

Inventor's
Signature



Date 10/8/03

Residence: City Milford

State Ohio

Country USA

Citizenship USA

Mailing Address 5960 E. Day Circle

City Milford

State Ohio

ZIP 45159-2360

Country USA

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

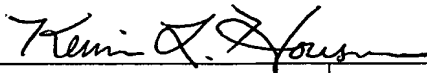
NAME OF THIRD INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name Kevin L.
(first and middle [if any])

Family Name Houser
or Surname

Inventor's
Signature



Date 10/8/03

Residence: City Springboro

State Ohio

Country USA

Citizenship USA

Mailing Address 570 Foliage Lane

City Springboro

State Ohio

ZIP 45066

Country USA

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF FOURTH INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name Jorge
(first and middle [if any])

Family Name Gutierrez
or Surname

Inventor's
Signature

Jorge Gutierrez

Date

10.8.03

Residence: City Cincinnati,

State Ohio

Country USA

Citizenship USA

Mailing Address 9916 McCauley Woods Drive

City Cincinnati

State Ohio

ZIP 45241

Country USA

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF FIFTH INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name William T.
(first and middle [if any])

Family Name Donofrio
or Surname

Inventor's
Signature

William T Donofrio

Date

10-10-03

Residence: City Cincinnati,

State Ohio

Country USA

Citizenship USA

Mailing Address 8755 Tanagerwoods Drive

City Cincinnati

State Ohio

ZIP 45249

Country USA

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SIXTH INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name Jerome R.
(first and middle [if any])

Family Name Morgan
or Surname

Inventor's
Signature

JR

Date

10/2/03

Residence: City Cincinnati,

State Ohio

Country USA

Citizenship USA

Mailing Address 3275 S. Whitetree Circle

City Cincinnati

State Ohio

ZIP 45236

Country USA


I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SEVENTH INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name Jeffrey J. (first and middle [if any])		Family Name Vaitekunas or Surname	
Inventor's Signature		Date	
Residence: City St. Paul	State MN	Country USA	Citizenship USA
Mailing Address 1270 Northland Drive			
City St. Paul	State MN	ZIP 55120	Country USA

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF EIGHTH INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name Gregory W. (first and middle [if any])		Family Name Johnson or Surname	
Inventor's Signature		Date	
Residence: City Milford,	State Ohio	Country USA	Citizenship USA
Mailing Address 117 Mound Avenue			
City Milford	State Ohio	ZIP 45150	Country USA

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF NINTH INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name Vance (first and middle [if any])		Family Name VanDrake, III or Surname	
Inventor's Signature 		Date 10/24/03	
Residence: City Cincinnati,	State Ohio	Country USA	Citizenship USA
Mailing Address 3414 Whitfield			
City Cincinnati	State Ohio	ZIP 45220	Country USA



UNITED STATES PATENT AND TRADEMARK OFFICE

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Official Patent and Trademark Office
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P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

APPLICATION NUMBER 10/659,418	FILING OR 371 (c) DATE 09/10/2003	FIRST NAMED APPLICANT Chester O. Baxter III	ATTORNEY DOCKET NUMBER END 780 NP
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000027777
RHEIP S. JOHNSON
JOHNSON & JOHNSON
ONE JOHNSON & JOHNSON PLAZA
NEW BRUNSWICK, NJ 08933-7003

CONFIRMATION NO. 4620
FORMALITIES LETTER
0000000013473201

Date Mailed: 08/09/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

\$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE